| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2007  Responded to: xx August 2023 |
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Your recent request for information is replicated below, together with our response.

## I'd like to know the outcome of the complaints I have made because of careless and dangerous driving in the last 5 years. Presumably you have a simple database that holds this sort of information, otherwise how would you know if Police Scotland are helping enforce the law?

In respect of the outcomes relating to reports you have made of Careless and Dangerous Driving, in terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act.

Section 18 applies where the following two conditions are met:

- It would be contrary to the public interest to reveal whether the information is held

Whilst we accept that you may have a particular personal interest in being informed as to whether or not the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and the expectation of confidence that the public have in Police Scotland as regards their information.

- If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act

In this instance, section 38(1)(a) would apply as you have asked about complaints *you have made* specifically.

The investigations exemption at section 34(1)(b) may also apply.

For clarity, we can provide you with a list of the incidents you have reported if that is of interest to you. Any such request is technically a Subject Access Request(SAR)and would therefore be considered in terms of the Data Protection Act 2018/ GDPR as explained on our [website](http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests) (please follow the instructions on the link to progress any such request).

I understand that the statement above may seem confusing and/ or unhelpful in the circumstances but for clarity, I am unable to provide this information in terms of the Freedom of Information (Scotland) Act 2002 as it would automatically become a public disclosure.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.